

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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INTERPAGE CO., INC.

Plaintiff,

- against -

ROSHEN USA CORP.,
AV DELICIOUS FOODS, INC., and
KONDITERSKA KORPORATZIA "ROSHEN",

Defendants.

Case No. 10-cv-2475(FB)(VVP)

ECF CASE

**NOTICE OF MOTION TO
COMPEL ARBITRATION AND
STAY ALL PROCEEDINGS**

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PLEASE TAKE NOTICE that, upon the accompanying (a) Memorandum of Law in Support of Defendants' Motion to Compel Arbitration and Stay All Proceedings in this Action and in Opposition to Plaintiff's Motion for a Preliminary Injunction, (b) the Declaration dated July 16, 2010 with Exhibits of Alla Ugrina, (c) the Declaration dated July 18, 2010 with an Exhibit of Dmitri Vainberg, and (d) the Declaration dated July 16, 2010 with an Exhibit of Vyacheslav Moskalevskyy, Defendants Roshen USA Corp., AV Delicious Foods, Inc. and Konditerska Korporatzia "Roshen", by and through their attorneys, Hahn & Hessen LLP, will move before Magistrate Judge Viktor V. Pohorelsky on a date and a time convenient to the Court, at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, 11201, for an Order compelling arbitration and staying all proceeding in this action pursuant to the Federal Arbitration Act, 9 U.S.C. § 1, *et seq.*, awarding Defendants their fees and costs associated with this application, and for such other relief as the Court deems proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule I(D) of Magistrate Judge Pohorelsky's Individual Rules of Practice, the parties have agreed that opposition papers, if any, to Defendants' motion to compel arbitration and stay proceedings shall be served on or before July 30, 2010, and reply papers in further support of Defendants' motion to compel arbitration and stay proceedings shall be served on or before August 10, 2010.

Dated: New York, New York
July 20, 2010

HAHN & HESSEN LLP

Counsel for Defendants Roshen USA Corp.,
AV Delicious Foods, Inc. and Konditerska
Korporatzia "Roshen"

By: s/ Steven J. Mandelsberg
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